

**CALIFORNIA DEPARTMENT OF FOOD AND AGRICULTURE (CDFA)
CALIFORNIA ORGANIC PRODUCTS ADVISORY COMMITTEE (COPAC)
Meeting Minutes
May 17, 2006
Sacramento, CA**

COMMITTEE MEMBERS

Julie Spadow
Diane Cooner
David Will
James Rickert
Larry Hirahara
Steve DeMuri
Lauree Bradley
Sean Swezey
Greg Raumin, Voting Alternate
Myron Cooper, Voting Alternate
Karen Klonsky, Voting Alternate

CDFA REPRESENTATIVES

Rick Jensen
Ray Green
Dave Carlson
Susan Shelton

INTERESTED PARTIES

Pat Kennelly, DHS Representative
Troy Aykan, The Hain Celestial Group
Jake Lewin, CCOF
John Kennedy, CA Grocers Association
John K. Ashby, CA Natural Products

ITEM 1: INTRODUCTIONS

The meeting was called to order at approximately 10:15 a.m. Introductions were made and the new members were welcomed. Gay Timmons suggested that the new members go to www.ams.usda.gov/nop to read up on organic regulations, standards, and guidelines. The roll was called and a quorum was not established.

ITEM 2: APPROVAL OF MEETING MINUTES

MOTION: Sean Swezey moved to approve the August 2, 2005 meeting minutes as submitted. Steve DeMuri seconded. The motion passed unanimously.

MOTION: Greg Raumin moved to approve the October 25, 2005 meeting minutes as submitted. James Rickert seconded. The motion passed unanimously.

MOTION: Sean Swezey moved to approve the December 13, 2005 meeting minutes as submitted. Diane Cooner seconded. The motion passed unanimously.

MOTION: Diane Cooner moved to approve the February 15, 2006 meeting minutes as submitted. Karen Klonsky seconded. The motion passed unanimously.

ITEM 3: ELECTION OF OFFICERS

Karen Klonsky nominated Rick Melnicoe for COPAC Chair. No other nominations were given.

MOTION: Greg Raumin moved to close the nomination process and accept Rick Melnicoe as Chair. Lauree Bradley seconded. The motion passed unanimously.

No nominations were given. Diane Cooner volunteered for COPAC Vice Chair.

MOTION: Sean Swezey moved to close the nomination process and accept Diane Cooner as Vice Chair. James Rickert seconded. The motion passed unanimously.

ITEM 4: POLICY/PROCEDURES FOR COMMITTEE SELECTION

Ray Green gave each committee member a copy of the first draft changes to the COPAC Board Procedures. This is currently a seven-page document based on the 2003 California organic laws.

The Policy and Procedures Subcommittee will convene a teleconference on June 21, 2006 at 9:00 a.m. to discuss the policy. They will work on draft language to bring to the full committee for adoption recommendation.

ITEM 5: CDFA REPORTS – RAY GREEN / DAVE CARLSON

A. ENFORCEMENT REPORTS

There were a total of 29 inspections between February 15, 2006 and May 15, 2006; this included 25 producer inspections and 4 certified farmers' market inspections. Three non-compliances were issued, which resulted in the issuance of one non-compliance and one notice of proposed action.

Between January 10, 2006 and May 15, 2006 there were 14 complaints. Of the 14 complaints, 10 are pending outcome. The complaint report included whom the complaint was against, complaint, county and disposition.

B. REGISTRATION REPORT

Dave reported on the number of organic registrants from 1999 through 2006. To date, in 2006, there have been 125 new registrants and 934 renewals, totaling 1,059 registrants.

Sean Swezey and Karen Klonsky requested that CDFA provide the committee with a current and historical breakdown of registrants by category, such as handler, grower, etc. Ray and Dave agreed to present this information at the next meeting.

C. NEW POLICY ON CERTIFICATION AND REGISTRATION

Ray discussed the issue of certification and registration and which must be done first. In the past there have been instances where organic companies have been registered but not certified and visa versa. The goal is to ensure that this no longer happens.

Jake Lewin representing CCOF stated that registration is one of the requirements of certification. However, he explained that it is considered a minor non-compliance, so it does not necessarily prevent an entity from becoming certified.

Ray suggested that a written policy be developed and distributed to the counties and certifiers. He further suggested that pending certification be required and presented at the time of registration. He stated that this would show that the organic entity is in the process of certification, while still allowing the registration to be completed before the certification is complete.

MOTION: Sean Swezey moved to support requiring evidence of pending certification as part of the organic registration process. Steve DeMuri seconded. The motion passed unanimously.

D. COST SHARE UPDATE

As of May 15, 2006 \$218,889.45 has been disbursed for the third year of the USDA Cost Share Program. There is still \$172,354.98, minus the 4% Organic Program costs, remaining in the fund.

E. BUDGET APPROVAL

Ray distributed the Organic Program 2006/07 proposed budget. The budget presented to the committee was \$718,767. The budget handout also outlined actual expenses for 2003/04 and 2004/05 and the projected expenses for 2005/06.

MOTION: James Rickert moved to approve budget as proposed. Steve DeMuri seconded. The motion passed unanimously.

The committee discussed the status of the program budget and reserve. Ray explained that there is approximately \$1.2 million in the Agricultural Fund. Greg Raumin asked if CDFA has thought of decreasing funds. Sean Swezey stated

that a rebate instead of a fee decrease would circumvent the need for a legislative change.

Jake Lewin suggested that some of the reserve be used for CDFA handling appeals. Discussion ensued regarding mediation and appeals. It was stated that a clear appeal process is needed.

ITEM 6: DHS REPORT – PAT KENNELLY

Pat Kennelly stated that there have been six complaints this year, mostly dealing with labeling and registration. Most of these are currently under investigation. He also reported that DHS is in the early stages of spot inspections and analysis of problem trends.

Sean Swezey requested that DHS provide the committee with a current and historical breakdown of the number of registrants by category, such as handler, grower, etc. Pat stated that he would provide what they have.

ITEM 7: MEMBER REPORTS /FUTURE AGENDA ITEMS

A. CALIFORNIA PAVILION FOR ATO IN 2007

Ray Green announced that Gay Timmons had volunteered to coordinate a California Pavilion at the All Things Organic Trade Show and Conference next year in Chicago, IL. The committee discussed the issue and agreed that the Fancy Foods Conference in San Francisco would be a better venue for this type of pavilion. No action was taken, it was decided that this issued would be discussed again in the future.

ITEM 8: NEW ITEMS

Ray Green reported on his attendance at the annual conference of the National Association of State Organic Programs in Chicago. More than 15 states participated with USDA's National Organics Program to discuss the organic programs in the country. He also helped organize and execute the North American Summit on Organic Production and Marketing, which was a huge success. Representatives from USA, Canada and Mexico were present and entered into informal recognition agreements for ease of trade amongst the companies in all three countries.

Ray also passed out copies of the Bagley-Keene Opening Meeting Act for the committee's reference.

Jake Lewin of CCOF discussed the issue of the growing organic dairy market and the unique aspects associated with it. He stated that there is great confusion regarding the requirements for organic dairies. He stressed the need for standardization within the state. It was discussed that the state, USDA, and the certifiers be brought together to discuss these issues.

Jake gave each committee member a copy of CCOF's Dairy Transition Paper and a letter from CCOF written to Mark Bradley, USDA Associate Deputy Administrator. Both these papers discuss dairy organic certification.

He also mentioned that customers have commented to them that they are having problems understanding the nomenclature used by the state during inspections.

ITEM 9: ADJOURNMENT

The next meeting will be held in Marin County on August 16, 2006.

The meeting adjourned at 12:45 p.m.

Respectfully submitted by:

Ray Green, Supervisor
California Organic Program
Inspection and Compliance Branch
Inspection Services